



TO: Kim Lundy Service of Process, Legal Support Supervisor
Walmart Inc.
702 SW 8th St, MS#0215
Bentonville, AR 72716-6209

RE: **Process Served in Tennessee**
FOR: Walmart Inc. (Domestic State: DE)

**Service of Process
Transmittal**

03/29/2019
CT Log Number 535191423

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Jones Joyce and James Oscar Jones, Pltfs. vs. Walmart, Inc., etc., et al., Dfts.

DOCUMENT(S) SERVED: Summons, Proof, Complaint, First Set Of Interrogatories, Request, Certificate

COURT/AGENCY: Lauderdale County - Circuit Court - Twenty- Fifth Judicial District, TN
Case # 7078

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 03/21/2018 - known as Facility #97 located at 628 US-51 in Ripley, Tennessee

ON WHOM PROCESS WAS SERVED: C T Corporation System, Knoxville, TN

DATE AND HOUR OF SERVICE: By Certified Mail on 03/29/2019 postmarked on 03/25/2019

JURISDICTION SERVED : Tennessee

APPEARANCE OR ANSWER DUE: Within 30 days after service, not including the day of service (Document(s) may contain additional answer dates)

ATTORNEY(S) / SENDER(S): Jennifer H. Collins
Reaves Law Firm, PLLC
4466 Elvis Presley Blvd., Suite 310
Memphis, TN 38116
(901)417-7166

ACTION ITEMS: CT has retained the current log, Retain Date: 03/29/2019, Expected Purge Date: 04/03/2019

Image SOP

Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System
ADDRESS: 300 Montvue RD
Knoxville, TN 37919-5546
TELEPHONE: 312-345-4336

COPY

CIRCUIT COURT OF LAUDERDALE COUNTY, TENNESSEE
FOR THE TWENTY- FIFTH JUDICIAL DISTRICT

SUMMONS IN CIVIL ACTION

Lawsuit

Docket No. *7078*

Plaintiff *V.* **Defendants**

Joyce Jones, and
James Oscar Jones

Walmart, Inc. d/b/a Walmart
Supercenter;
Monique Copeland; and
John Does 1-5

TO: (Name and Address of Defendant (One defendant per summons)) **Method of Service:**

Walmart, Inc. d/b/a Walmart Supercenter **CERTIFIED MAIL SERVICE**

CT Corporation System

Registered Agent _____

300 Montvue Road

Knoxville, TN 37919

You are hereby summoned and required to defend a civil action by filing your Answer with the Clerk of the Court and serving a copy of your answer to the Complaint on Jennifer H. Collins & James R. Davis, Plaintiff's attorneys, whose address is 4466 Elvis Presley Blvd., Ste. 310, Memphis, TN 38116, telephone 1+901-417-7166 within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.

TESTED AND ISSUED 2-22-19

By, D.C. Richard Jennings

NOTICE TO THE DEFENDANT: You are being sued. It is mandatory that you appear in court on the date and time you have been summoned if you wish to contest this suit. If you do not wish to contest this suit, it is not necessary that you appear in court. If you do not appear as you have been summoned, a default judgment can be rendered against you. It is important that you be aware of all the above information. If you have any questions about this summons, you must be in court on the date and time listed above.

Richard Jennings
Circuit Court Clerk

**IN THE CIRCUIT COURT OF LAUDERDALE COUNTY, TENNESSEE
FOR THE TWENTY-FIFTH JUDICIAL DISTRICT**

**JOYCE JONES and
JAMES OSCAR JONES**

Plaintiffs,

vs.

**WALMART, INC. d/b/a
WALMART SUPERCENTER;
MONIQUE COPELAND, and
JOHN DOES 1-5**

Defendants.

Docket No. 7078
Division _____
JURY DEMANDED

FILED
FEB 22 2019 8R

**RICHARD JENNINGS
CIRCUIT COURT CLERK**

COMPLAINT

COMES NOW Plaintiffs, Joyce Jones and James Oscar Jones, by and through counsel, hereby files this Complaint against Defendants, Walmart, Inc., d/b/a Walmart Supercenter, Monique Copeland (in her professional capacity), and John Does 1-5, for personal injuries and damages and would respectfully state as follows:

PARTIES

1. Plaintiffs, Joyce Jones and James Oscar Jones, are a married couple and adult residents of Ripley, Lauderdale County, Tennessee.
2. Upon information and belief, Defendant, Walmart, Inc., d/b/a Walmart Supercenter (hereinafter "Walmart"), is a for-profit corporation formed in Delaware, with its principal office located at 708 SW 8th Street, Bentonville, Arkansas 72716-6209, and doing

**ATTEST A TRUE COPY
BY RICHARD JENNINGS, D.C.
CIRCUIT COURT CLERK**

business in Tennessee as Walmart, Inc. Walmart may be served through its registered agent for service of process, CT Corporation System at 300 Montvue Rd., Knoxville, Tennessee 37919.

3. Upon information and belief, Defendant Walmart, jointly or separately owned, managed, and/or controlled the Walmart Supercenter store located at 628 US-51 in Ripley, Tennessee known as Walmart, Inc. Facility #97.
4. Upon information and belief, Defendant Monique Copeland (hereinafter "Defendant Copeland"), at all relevant times was the store manager of the Walmart Supercenter store located at 628 US-51 in Ripley, Tennessee known as Walmart, Inc., Facility #97 and is being sued in her professional capacity as the store manager of Walmart Supercenter store located at 628 US-51 in Ripley, Tennessee known as Walmart, Inc., Facility #97. Upon information and belief, Defendant Copeland may be served at her place of business at Walmart Supercenter store located at 628 US-51 in Ripley, Tennessee 38063 known as Walmart, Inc., Facility #97.
5. That Defendants John Does 1-5 are corporations, entities, agencies, businesses, individuals, and the like which are presently unknown to the Plaintiff but whose negligent acts and/or omissions may have proximately caused or contributed to Plaintiff's injuries. Plaintiff will amend this Complaint to allege the true capacity of these parties when they are ascertained.

JURISDICTION AND VENUE

6. The incident that forms the basis of this suit occurred in Ripley, Lauderdale County, Tennessee, thus this Court has personal jurisdiction over the parties and venue is proper in this county.

7. This action arises in tort out of personal injuries and damages incurred as a result of a slip and fall that the Plaintiff suffered due to negligent maintenance at the property which was owned and operated by the Defendant Walmart in Ripley, Lauderdale County, Tennessee on or about March 12, 2018.
8. This Honorable Court has subject matter jurisdiction over this claim and personal jurisdiction over the parties.

FACTS

9. On or about March 12, 2018, Plaintiff, Joyce Jones, was lawfully inside the Walmart Supercenter store known as Facility #97 located at 628 US-51 in Ripley, Tennessee.
10. Upon information and belief, Defendants Walmart and Copeland jointly or separately owned, managed, and/or controlled the Walmart Supercenter store known as Facility #97 located at 628 US-51 in Ripley, Tennessee on or about March 12, 2018 and during all times relevant to this lawsuit.
11. On or about March 12, 2018, the Plaintiff, Joyce Jones, lawfully entered the Walmart Supercenter store known as Facility #97. Plaintiff was intending to pick up some medication from the pharmacy at the time. While the medication was being prepared, the Plaintiff bought some items, took them to the car, and returned to the store to retrieve the medication.
12. When the Plaintiff returned to the store and picked up the medication, she slipped and fell due to a substance that was spilled on the floor.
13. The aforementioned dangerous condition of spilled substance in Defendant Walmart's store on the floor caused the Plaintiff Joyce Jones's subsequent serious injuries.

14. The Defendants had actual or constructive notice of the dangerous condition and failed to correct the dangerous condition.
15. As a direct and proximate result of the Defendants' negligent acts, Plaintiffs Joyce Jones and James Oscar Jones sustained personal injuries and other damages to be more particularly described hereinafter.

CAUSE OF ACTION

NEGLIGENT ACTS AND/OR OMISSIONS

16. Plaintiffs incorporate paragraphs 1 through 15 as if restated here verbatim.
17. Defendants had a duty to maintain the premises in a safe and prudent manner.
18. Defendants breached this duty.
19. The actions of the Defendants were the proximate cause of this accident and Defendants were guilty of one or more of the following acts of common-law negligence which was the proximate cause of the injury to the Plaintiffs:
 - a. Defendants, by and through its agents, servants and/or employees failed to maintain the premises in a safe and prudent manner, thereby promoting a improper and unsafe place for the patrons lawfully on its premises.
 - b. Defendants, by and through its agents, servants and/or employees, failed to exercise reasonable and ordinary care, inspection and maintenance of the premises when they knew or should have known that the same were in unreasonably dangerous condition.
 - c. Defendants, by and through its agents, servants and/or employees, are guilty of negligence in that they carelessly failed to exercise the due care and caution required of a reasonably prudent business under the same or similar circumstances.

- d. Defendants, by and through its agents, servants and/or employees, are guilty of negligence in that they failed to inspect said premises after actual or constructive notice was given as to its dangerous state.
- e. The negligent conduct of the Defendants, by and through its agents, servants and/or employees, resulted in the existence of a dangerous condition and a foreseeable and unreasonable risk of harm to the Plaintiffs.
- f. Defendants, by and through its agents, servants and/or employees, failed in their affirmative duty to take reasonable steps to inspect the premises for the foreseeable dangerous condition, and to keep the premises in a safe condition.
- g. Defendants, by and through its agents, servants and/or employees knew or should have known of the hazardous condition which is the subject of this lawsuit, and with its actual or constructive notice should have warned the Plaintiffs of the hazardous and dangerous condition.
- h. Other acts and/or omissions to be shown at trial.

INJURIES AND DAMAGES

- 20. Plaintiffs incorporate paragraphs 1 through 19 as if restated here verbatim.
- 21. As a direct and proximate result of the above-described violations of the common law and state statutes by Defendants, Plaintiff, Joyce Jones, sustained multiple serious and disabling injuries to her body as a whole.
- 22. Plaintiff, Joyce Jones, has endured pain and suffering and will continue to endure pain and suffering from the injuries arising out of the subject incident.
- 23. Plaintiff, Joyce Jones, has incurred reasonable and necessary medical expenses in order to alleviate her pain and suffering and will continue to incur said expenses in the future.

24. Plaintiff, Joyce Jones, has sustained mental anguish as a result of the subject fall, past, present, and future.
25. Plaintiff, Joyce Jones, has sustained loss of enjoyment of life, past, present and future.
26. Plaintiff, Joyce Jones, has sustained inconvenience, past, present and future.
27. Plaintiff, Joyce Jones, has sustained other damages to be determined at a trial of this cause of action.
28. As a direct and proximate result of the above-described breaches of duties and negligent, reckless, and/or intentional acts by Defendants, Plaintiff James Oscar Jones, individually, seeks damages for the loss of the society, affection, companionship, and consortium of his wife, Joyce Jones.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully sue Defendants, Walmart, Inc., d/b/a Walmart Supercenter, Monique Copeland (in her professional capacity), and John Does 1-5 for a reasonable amount of restitution and compensation for damages to be determined by twelve honorable and good citizens of Lauderdale County to the sum of Three Hundred Thousand Dollars (\$300,000.00).

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray for damages as they may appear on the trial of this cause, reserving the right to amend this pleading to conform to the facts as they may develop, for cost and interest, and for all other general relief justified by the facts under the law or equity.

Respectfully submitted,

REAVES LAW FIRM, PLLC



JENNIFER H. COLLINS, No. 27985
JAMES R. DAVIS, JR., No. 37113

Attorneys for Plaintiff

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